

RECEIVED

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JUL 19 2023

UNITED STATES OF AMERICA : Hon. Tonianne L. Konig, DISTRICT COURT - DNJ AT 8:30 M
v. : Mag. No. 23-3038
ELIYAHU ("ELI") WEINSTEIN, : ORDER FOR CONTINUANCE
a/k/a "Mike Konig,"

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Emma Spiro and Jonathan Fayer, Assistant U.S. Attorneys, appearing), and defendant Eliyahu Weinstein (Eric M. Creizman Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) through September 19, 2023.

2. This Court granted no § 3161(h)(7)(A) continuance previously in this case.

3. Counsel for the parties represented that this continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. This case is sufficiently complex that it is unreasonable to expect adequate preparation for pretrial proceedings within the time limits provided by the Speedy Trial Act.

b. Defense counsel seeks additional time to review the charges and discuss them with his client.

c. Plea negotiations may occur, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render grand jury proceedings and a trial in this matter unnecessary.

d. Thus, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued for a period of 60 days from July 19, 2023 through September 19, 2023; and it is further

ORDERED that those days are excluded in computing time under the Speedy Trial Act of 1974; and it is further

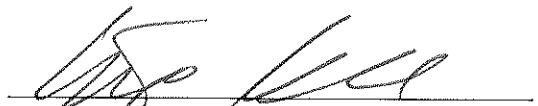
ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.



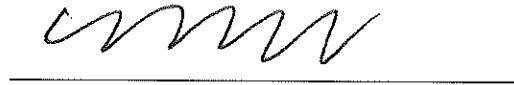
HON. TONIANNE J. BONGIOVANNI
United States Magistrate Judge

Dated: July 19, 2023

Form and entry consented to:



EMMA SPIRO
JONATHAN FAYER
Assistant U.S. Attorneys



ERIC M. CREIZMAN
Counsel for Eliyahu Weinstein